

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application for:
JAN 19 2006 Scott KAUFFMAN
Application No.: 09/904,419

Filed: July 12, 2001

For: APPARATUS AND METHOD FOR
ACTIVATING AN INDUCTANCE
LOOP VEHICLE DETECTION
SYSTEM

Examiner: Daniel Previl

Art Group: 2636

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUBSTANCE OF INTERVIEW STATEMENT

Sir:

In accordance with 37 C.F.R. §1.133, Applicant presents this Substance Of Interview Statement to reflect the substance of the telephonic interview conducted with the Examiner on September 22, 2005.

In addition to the undersigned, the only other attendee of the interview was Examiner Daniel Previl.

To the best of the undersigned's recollection, the substance of that interview may be summarized as follows:

- (A) No exhibits were shown nor were any demonstrations conducted.
- (B) All of the pending claims (i.e., claims 1-67) were implicitly discussed.
- (C) The attendees discussed U.S. Patent No. 5,652,577 to Lyman Frasier, entitled "Device And Method For Passively Activating Inductive Loop Sensor," issued July 29, 1997.
- (D) No specific proposed amendments were discussed..

(E) During the interview, the undersigned presented arguments that the Frasier patent did not teach or suggest any use of a magnet, as recited in claims 1-67 of the application. The undersigned pointed out that the Frasier patent appeared to instead teach the use of a magnetic foil to activate an inductive loop sensor.

(F) No other pertinent matters were discussed.

(G) No specific agreement was reached. Rather, the Examiner indicated that he would consider the arguments the undersigned made during the telephonic interview.

If the Examiner disagrees with any statement made above, or would like to supplement any of these statements, Applicant respectfully invites the Examiner to contact the undersigned.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Banner & Witcoff, Ltd.
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Washington, D.C. 20001-4597
Telephone: 503-425-6800

By:


Thomas L. Evans Reg. No. 35,805

Dated: January 16, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application for:

Scott KAUFFMAN

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TRANSMITTAL OF FORMAL DRAWINGS

Sir:

Enclosed herewith for filing in the above-identified U.S. Patent Application are three (3) sheets of formal drawings containing Figures 1-6. The Draftsperson's approval of these drawings is hereby respectfully requested.

Respectfully submitted,

BANNER & WITCOFF, LTD.



Thomas L. Evans
Registration No. 35,805

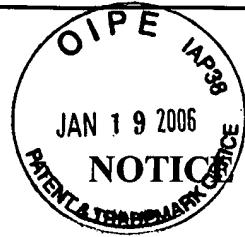
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Date: January 16, 2006

BSK/TLE



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NOTICE OF ALLOWANCE AND FEE(S) DUE

22909 7590 11/15/2005
BANNER & WITCOFF, LTD.
1001 G STREET, N.W.
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BANNER WITCOFF

EXAMINER	PREVIL, DANIEL
ART UNIT	PAPER NUMBER
2636	
DATE MAILED: 11/15/2005	

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/904,419	07/12/2001	Scott Kauffman	05348.00001	3560

TITLE OF INVENTION: APPARATUS AND METHOD FOR ACTIVATING AN INDUCTANCE LOOP VEHICLE DETECTION SYSTEM

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$0	\$1400	02/15/2006

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.



Notice of Allowability

Application No.

09/904,419

Examiner

Daniel Previl

Applicant(s)

KAUFFMAN, SCOTT

Art Unit

2636

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

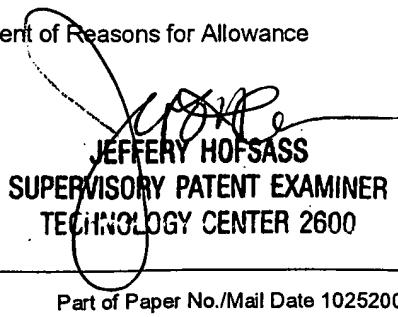
1. This communication is responsive to 10/10/2005.
 2. The allowed claim(s) is/are 1-2, 4-7, 9-18, 20-23, 25-35, 37-40, 42-52, 54-57, 59-67 renumbered as 1-59 respectively.
 3. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some*
 - c) None
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.
- Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
AT THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.
- here
4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
 6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

At
TC
ART
DRAFT

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 7/22/2005
4. Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. Notice of Informal Patent Application (PTO-152)
6. Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____.


JEFFERY HOFSSASS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600